

JOURNAL OF THE SENATE

EIGHTY-SEVENTH SESSION

ELEVENTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, January 30, 2012

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Rev. Don Block, followed by the Pledge of Allegiance led by Senate page Monica Gutierrez.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the tenth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Bob Gray, Chair

Which motion prevailed.

1

2

3

7

8

1

12

15

17

18

22

23

26

27

30

31

1 March 10, 2011

2 The Honorable Matt Michels
3 President of the Senate
4 State Capitol
5 Pierre, SD 57501-5070

6 Dear Mr. President and Members of the Senate:

7 Pursuant to the provisions of Chapter 5-12 of the South Dakota Codified Laws and subject
8 to your consent, I have the honor to inform you that I have reappointed Dennis Neugebauer,
9 Minnehaha County, Sioux Falls, South Dakota, to the South Dakota Building Authority.

10 This reappointment is effective immediately, and shall continue until January 18, 2015.

11 Sincerely,
12 Dennis Daugaard
13 Governor

14 The President announced the referral of the reappointment to the Committee on State
15 Affairs.

16 March 10, 2011

17 The Honorable Matt Michels
18 President of the Senate
19 State Capitol
20 Pierre, SD 57501-5070

21 Dear Mr. President and Members of the Senate:

22 Pursuant to the provisions of Chapter 5-12 of the South Dakota Codified Laws and subject
23 to your consent, I have the honor to inform you that I have appointed Douglas J. Hajek,
24 Minnehaha County, Sioux Falls, South Dakota, to the South Dakota Building Authority.

25 This appointment is effective March 4, 2011, and shall continue until January 18, 2015.

26 Sincerely,
27 Dennis Daugaard
28 Governor

29 The President announced the referral of the appointment to the Committee on State Affairs.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Transportation respectfully reports that it has had under consideration SB 140 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Also MR. PRESIDENT:

The Committee on Transportation respectfully reports that it has had under consideration SB 22 and returns the same with the recommendation that said bill be amended as follows:

22ta

On page 1, line 10, of the printed bill, overstrike "within its county" and insert "under its jurisdiction".

On page 1, line 11, overstrike "within its township" and insert "under its jurisdiction".

On page 1, delete line 14, and insert "a municipal corporation, ~~nor may~~. Also, a board of supervisors ~~may not~~ vacate or change any portion of the".

On page 1, line 15, after "system" insert ", nor may a board of county commissioners vacate or change any portion of the township road system".

And that as so amended said bill do pass and be placed on the consent calendar.

Respectfully submitted,
Mike Vehle, Chair

Also MR. PRESIDENT:

The Committee on Health and Human Services respectfully reports that it has had under consideration SB 121 which was deferred to the 41st Legislative Day.

Respectfully submitted,
Jean M. Hunhoff, Chair

Also MR. PRESIDENT:

The Committee on State Affairs respectfully reports that it has had under consideration SB 93 and HB 1014 and returns the same with the recommendation that said bills do pass.

1 Also MR. PRESIDENT:

2 The Committee on State Affairs respectfully reports that it has had under consideration
3 SB 104 and returns the same with the recommendation that said bill do pass and be placed on
4 the consent calendar.

5 Respectfully submitted,
6 Larry Rhoden, Chair

7 Also MR. PRESIDENT:

8 The Committee on Local Government respectfully reports that it has had under
9 consideration SB 102 and returns the same with the recommendation that said bill be amended
10 as follows:

11 102ta

12 On page 1, line 6, of the printed bill, after "~~and,~~" insert "32-10-35,".

13 And that as so amended said bill do pass.

14 Also MR. PRESIDENT:

15 The Committee on Local Government respectfully reports that it has had under
16 consideration SB 101 and returns the same with the recommendation that said bill be amended
17 as follows:

18 101ta

19 On page 3 of the printed bill, delete lines 1 to 24, inclusive.

20 On page 4, delete lines 1 to 13, inclusive.

21 101tta

22 On page 1, line 1, of the printed bill, delete "and townships".

23 And that as so amended said bill do pass and be placed on the consent calendar.

24 Also MR. PRESIDENT:

25 The Committee on Local Government respectfully reports that it has had under
26 consideration SB 89 which was deferred to the 41st Legislative Day.

27 Respectfully submitted,
28 Todd Schlekeway, Chair

1 Also MR. PRESIDENT:

2 The Committee on Taxation respectfully reports that it has had under consideration SB 123
3 and returns the same with the recommendation that said bill do pass.

4 Also MR. PRESIDENT:

5 The Committee on Taxation respectfully reports that it has had under consideration SB 73
6 and returns the same with the recommendation that said bill do pass and be placed on the
7 consent calendar.

8 Also MR. PRESIDENT:

9 The Committee on Taxation respectfully reports that it has had under consideration SB 91
10 and returns the same with the recommendation that said bill be amended as follows:

11 91fa

12 On page 1, line 6, of the printed bill, after "shareholder" delete "of" and insert "or officer
13 of a South Dakota corporation or".

14 On page 1, line 8, before "subchapter" insert "South Dakota corporation or".

15 91fta

16 On page 1, line 1, of the printed bill, delete "of" and insert "or officers of South Dakota
17 corporations or".

18 And that as so amended said bill do pass and be placed on the consent calendar.

19 Also MR. PRESIDENT:

20 The Committee on Taxation respectfully reports that it has had under consideration SB 92
21 and returns the same with the recommendation that said bill be referred to the Committee on
22 Appropriations.

23 Respectfully submitted,
24 Tom Hansen, Chair

1

2

3
4
5

6

7

8
9

10

11
12

13

14

15

16
17

18

19
20
21
22
23
24
25
26
27

Street, Stricherz, Tornow, Tulson, Turbiville, Van Gerpen, Vanneman, Venner, Verchio, White, Wick, Willadsen, Wink, and Wismer

A CONCURRENT RESOLUTION, Honoring the University of South Dakota on its one hundred fiftieth anniversary.

WHEREAS, the first Dakota Territorial Legislature, which convened in Yankton in the early months of 1862, and whose members, recognizing quality education would be vital to the development of Dakota Territory, approved legislation authorizing, though not funding, what would become the University of South Dakota in the town of Vermillion located along the Missouri River in Clay County, to which Territorial Governor William Jayne, who had been Abraham Lincoln's personal physician in Springfield, Illinois, affixed his signature on April 21, 1862; and

WHEREAS, despite the financial challenges and natural disasters afflicting the region, prairie optimism persisted and territorial settlers, led by Darwin Inman, Justice Jefferson Kidder, Dr. F.N. Burdick, and Civil War veteran Colonel John Jolley, raised private funds to build the first facilities on the budding campus, beginning a private/public partnership that continues today; and

WHEREAS, on the crisp morning of October 16, 1882, with Principal Epstein leading them, thirty-five young men and women began their studies; this three dozen students would be the nucleus of a University that would grow to include more than 9,900 enrolled students and more than 75,000 alumni one hundred fifty years hence; and

WHEREAS, academics flourished under the tutelage of knowledgeable, respected, and beloved faculty and administrators and grew to include the establishment of a comprehensive College of Arts and Sciences, a College of Fine Arts, Schools of Education, Health Sciences, and Business, and the state's only Schools of Law and Medicine, each serving to prepare students to be critical thinkers, life-long learners and productive citizens, and whose alumni have become leaders, healers, innovators, heroes, researchers, and nationally recognized scholars, including nine Rhodes Scholars and Nobel Laureate E. O. Lawrence; and

WHEREAS, the University's commitment to fostering better state government is exemplified in the contributions of renowned political science professor, W.O. Farber, the founder and first director of the Legislative Research Council and stellar member of the Constitutional Revision Commission; and

WHEREAS, the University has excelled in the gallery and on the gridiron, in the arena and on the stage producing celebrated artists and athletes alike; and

WHEREAS, the University of South Dakota gave rise to a newspaper, the *Volante*, that students have published since 1887, making it one of the nation's oldest continuously published newspapers, the renowned National Music Museum, the Oscar Howe Gallery, and the South Dakota Oral History Center that serves by preserving voices of all peoples of the Northern Plains; and

1 WHEREAS, the University of South Dakota has a long tradition of celebrating diversity,
2 from including women in its first classes to the success of many Native American students, to
3 its current student body that is global in scope and contrast; and

4 WHEREAS, the University of South Dakota has dutifully executed its mission as the state's
5 comprehensive liberal arts university, offering undergraduate, graduate, and professional
6 programs within the South Dakota system of higher education and it continues onward as the
7 state's flagship university, pursuing academic, research and creative excellence with a growing
8 number of extraordinary students:

9 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Eighty-seventh Legislature
10 of the State of South Dakota, the House of Representatives concurring therein, that the
11 Legislature commend and congratulate the University of South Dakota as it celebrates its
12 sesquicentennial year.

13 Was read the first time, the President waived the referral to committee, and placed SCR
14 1 on the calendar of Tuesday, January 31, the 12th legislative day.

15 HCR 1002: A CONCURRENT RESOLUTION, Urging Congress and the South Dakota
16 congressional delegation to support federal legislation to protect the United States Postal
17 Service.

18 Was read the second time.

19 Sen. Bradford moved that the Senate do concur in HCR 1002 as found on page 170 of the
20 House Journal.

21 The question being on Sen. Bradford's motion that HCR 1002 be concurred in.

22 And the roll being called:

23 Yeas 12, Nays 23, Excused 0, Absent 0

24 Yeas:
25 Adelstein; Begalka; Bradford; Buhl; Frerichs; Hundstad; Hunhoff (Jean); Lederman; Maher;
26 Putnam; Sutton; Tidemann

27 Nays:
28 Brown; Cutler; Fryslie; Gray; Hansen (Tom); Haverly; Heineman; Holien; Johnston; Juhnke;
29 Kraus; Krebs; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Rempelberg;
30 Rave; Rhoden; Schlekeway; Tieszen; Vehle

31 So the motion not having received an affirmative vote of a majority of the members-elect,
32 the President declared the motion lost.

1 HCR 1004: A CONCURRENT RESOLUTION, Supporting and encouraging the academic
2 study of the Bible in South Dakota public schools.

3 Was read the second time.

4 Sen. Kraus moved that the Senate do concur in HCR 1004 as found on page 193 of the
5 House Journal.

6 The question being on Sen. Kraus' motion that HCR 1004 be concurred in.

7 And the roll being called:

8 Yeas 25, Nays 10, Excused 0, Absent 0

9 Yeas:

10 Adelstein; Begalka; Bradford; Brown; Fryslie; Gray; Haverly; Heineman; Holien; Johnston;
11 Juhnke; Kraus; Krebs; Lederman; Maher; Novstrup (Al); Nygaard; Olson (Russell); Peters;
12 Putnam; Rampelberg; Rave; Rhoden; Schlekeway; Sutton

13 Nays:

14 Buhl; Cutler; Frerichs; Hansen (Tom); Hundstad; Hunhoff (Jean); Nelson (Tom); Tidemann;
15 Tieszen; Vehle

16 So the motion having received an affirmative vote of a majority of the members-elect, the
17 President declared the motion carried and HCR 1004 was concurred in.

18 **CONSIDERATION OF REPORTS OF COMMITTEES**

19 Sen. Olson moved that the reports of the Standing Committees on

20 Agriculture and Natural Resources on SB 83 as found on page 186 of the Senate Journal;
21 also

22 Commerce and Energy on SB 65 as found on page 187 of the Senate Journal; also

23 Appropriations on SB 38 as found on page 187 of the Senate Journal; also

24 Judiciary on SB 78 as found on page 188 of the Senate Journal be adopted.

25 Which motion prevailed.

1 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

2 SB 196 Introduced by: The Committee on Health and Human Services at the request of the
3 Office of the Governor

4 FOR AN ACT ENTITLED, An Act to allow for the redistribution of existing nursing
5 facility beds.

6 Was read the first time and referred to the Committee on Health and Human Services.

7 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

8 HB 1009: FOR AN ACT ENTITLED, An Act to repeal certain provisions relating to
9 licenses issued by the Board of Pharmacy.

10 Was read the first time and referred to the Committee on Health and Human Services.

11 HB 1046: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding child
12 custody during a soldier's deployment.

13 Was read the first time and referred to the Committee on State Affairs.

14 HB 1055: FOR AN ACT ENTITLED, An Act to allow for joint physical custody orders
15 after a court awards joint legal custody if in the best interest of the child.

16 Was read the first time and referred to the Committee on Judiciary.

17 HB 1065: FOR AN ACT ENTITLED, An Act to repeal the requirement that the Unified
18 Judicial System set forth a schedule for all fees paid directly to court reporters in its annual
19 consolidated budget.

20 Was read the first time and referred to the Committee on Judiciary.

21 HB 1071: FOR AN ACT ENTITLED, An Act to increase the benefits that the Insurance
22 Guarantee Association may become obligated to cover for annuities.

23 Was read the first time and referred to the Committee on Commerce and Energy.

24 HB 1079: FOR AN ACT ENTITLED, An Act to revise certain publication date citations
25 for references to the International Building Code.

1 Was read the first time and referred to the Committee on Commerce and Energy.

2 HB 1095: FOR AN ACT ENTITLED, An Act to revise the procedure for the discharge of
3 civil judgments against a person who has received a discharge of debt pursuant to the United
4 States Code, Title 11.

5 Was read the first time and referred to the Committee on Judiciary.

6 HB 1096: FOR AN ACT ENTITLED, An Act to specify the venue for certain appeals
7 involving home-rule municipalities.

8 Was read the first time and referred to the Committee on Judiciary.

9 HB 1097: FOR AN ACT ENTITLED, An Act to revise certain provisions regulating the
10 investment of unneeded state operating expenses in banks.

11 Was read the first time and referred to the Committee on Commerce and Energy.

12 HB 1119: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
13 mechanical pull-tab devices.

14 Was read the first time and referred to the Committee on State Affairs.

15 **CONSIDERATION OF CONSENT CALENDAR EXECUTIVE APPOINTMENTS**

16 The Senate proceeded to the consideration of the executive appointment of Don Holloway
17 of Pennington County, Rapid City, South Dakota, to the South Dakota Board of Pardons and
18 Paroles.

19 The question being "Does the Senate advise and consent to the executive appointment of
20 Don Holloway pursuant to the executive message as found on page 30 of the Senate Journal?"

21 And the roll being called:

22 Yeas 35, Nays 0, Excused 0, Absent 0

23 Yeas:

24 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);
25 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;
26 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;
27 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

1 So the question having received an affirmative vote of a majority of the members-elect,
2 the President declared the appointment confirmed.

3 The Senate proceeded to the consideration of the executive appointment of Krista Heeren-
4 Graber of Hutchinson County, Freeman, South Dakota, to the South Dakota Interstate Compact
5 for Adult Offender Supervision.

6 The question being "Does the Senate advise and consent to the executive appointment of
7 Krista Heeren-Graber pursuant to the executive message as found on page 30 of the Senate
8 Journal?"

9 And the roll being called:

10 Yeas 35, Nays 0, Excused 0, Absent 0

11 Yeas:

12 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);
13 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;
14 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;
15 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

16 So the question having received an affirmative vote of a majority of the members-elect,
17 the President declared the appointment confirmed.

18 The Senate proceeded to the consideration of the executive appointment of Terry Sabers
19 of Davison County, Mitchell, South Dakota, to the South Dakota Board of Education.

20 The question being "Does the Senate advise and consent to the executive appointment of
21 Terry Sabers pursuant to the executive message as found on page 66 of the Senate Journal?"

22 And the roll being called:

23 Yeas 35, Nays 0, Excused 0, Absent 0

24 Yeas:

25 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);
26 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;
27 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;
28 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

29 So the question having received an affirmative vote of a majority of the members-elect,
30 the President declared the appointment confirmed.

The Senate proceeded to the consideration of the executive reappointment of Patricia Simmons of Minnehaha County, Sioux Falls, South Dakota, to the South Dakota Board of Education.

The question being "Does the Senate advise and consent to the executive reappointment of Patricia Simmons pursuant to the executive message as found on page 66 of the Senate Journal?"

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0

Yeas:

Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom); Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

So the question having received an affirmative vote of a majority of the members-elect, the President declared the reappointment confirmed.

SECOND READING OF CONSENT CALENDAR ITEMS

Pursuant to Senate Rule 6-1, the President removed SB 35 from the Consent Calendar.

HB 1023: FOR AN ACT ENTITLED, An Act to repeal and revise certain provisions relating to the Department of Corrections.

Was read the second time.

The question being "Shall HB 1023 pass?"

And the roll being called:

Yeas 34, Nays 0, Excused 1, Absent 0

Yeas:

Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Hansen (Tom); Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

Excused:

Gray

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 President declared the bill passed and the title was agreed to.

3 HB 1025: FOR AN ACT ENTITLED, An Act to make aggravated incest a violent crime
4 for purposes of setting an initial parole date.

5 Was read the second time.

6 The question being "Shall HB 1025 pass?"

7 And the roll being called:

8 Yeas 34, Nays 0, Excused 1, Absent 0

9 Yeas:

10 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Frysliie; Hansen (Tom); Haverly;
11 Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman;
12 Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg;
13 Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

14 Excused:

15 Gray

16 So the bill having received an affirmative vote of a majority of the members-elect, the
17 President declared the bill passed and the title was agreed to.

18 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

19 SB 23: FOR AN ACT ENTITLED, An Act to place certain substances on the controlled
20 substances schedule and to declare an emergency.

21 Was read the second time.

22 The question being "Shall SB 23 pass as amended?"

23 And the roll being called:

24 Yeas 34, Nays 0, Excused 1, Absent 0

25 Yeas:

26 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Frysliie; Hansen (Tom); Haverly;
27 Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman;
28 Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg;
29 Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

1 Excused:
2 Gray

3 So the bill having received an affirmative vote of a two-thirds majority of the members-
4 elect, the President declared the bill passed and the title was agreed to.

5 SB 4: FOR AN ACT ENTITLED, An Act to make an appropriation to continue the
6 veterans' bonus program and to declare an emergency.

7 Was read the second time.

8 The question being "Shall SB 4 pass?"

9 And the roll being called:

10 Yeas 34, Nays 0, Excused 1, Absent 0

11 Yeas:
12 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Frysliie; Hansen (Tom); Haverly;
13 Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs; Lederman;
14 Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam; Rampelberg;
15 Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

16 Excused:
17 Gray

18 So the bill having received an affirmative vote of a two-thirds majority of the members-
19 elect, the President declared the bill passed and the title was agreed to.

20 SB 9: FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse certain
21 family physicians and dentists who have complied with the requirements of the physician tuition
22 reimbursement program and dental tuition reimbursement program and to declare an
23 emergency.

24 Was read the second time.

25 The question being "Shall SB 9 pass?"

26 And the roll being called:

27 Yeas 35, Nays 0, Excused 0, Absent 0

1 Yeas:

2 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);
3 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;
4 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;
5 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

6 So the bill having received an affirmative vote of a two-thirds majority of the members-
7 elect, the President declared the bill passed and the title was agreed to.

8 SB 36: FOR AN ACT ENTITLED, An Act to make an appropriation for costs related to
9 suppression of wildfires in the state and to declare an emergency.

10 Was read the second time.

11 The question being "Shall SB 36 pass?"

12 And the roll being called:

13 Yeas 35, Nays 0, Excused 0, Absent 0

14 Yeas:

15 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);
16 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;
17 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;
18 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

19 So the bill having received an affirmative vote of a two-thirds majority of the members-
20 elect, the President declared the bill passed and the title was agreed to.

21 SB 47: FOR AN ACT ENTITLED, An Act to increase the authorized square footage for
22 the motor pool building at South Dakota State University, to make an appropriation therefor,
23 and to declare an emergency.

24 Was read the second time.

25 The question being "Shall SB 47 pass?"

26 And the roll being called:

27 Yeas 33, Nays 2, Excused 0, Absent 0

28 Yeas:

29 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);
30 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;
31 Lederman; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;
32 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen

1 Nays:
2 Maher; Vehle

3 So the bill having received an affirmative vote of a two-thirds majority of the members-
4 elect, the President declared the bill passed and the title was agreed to.

5 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

6 HB 1022: FOR AN ACT ENTITLED, An Act to revise certain parole hearing provisions
7 regarding inmate compliance, waivers, and teleconferencing.

8 Was read the second time.

9 The question being "Shall HB 1022 pass?"

10 And the roll being called:

11 Yeas 35, Nays 0, Excused 0, Absent 0

12 Yeas:
13 Adelstein; Begalka; Bradford; Brown; Buhl; Cutler; Frerichs; Fryslie; Gray; Hansen (Tom);
14 Haverly; Heineman; Holien; Hundstad; Hunhoff (Jean); Johnston; Juhnke; Kraus; Krebs;
15 Lederman; Maher; Nelson (Tom); Novstrup (Al); Nygaard; Olson (Russell); Peters; Putnam;
16 Rampelberg; Rave; Rhoden; Schlekeway; Sutton; Tidemann; Tieszen; Vehle

17 So the bill having received an affirmative vote of a majority of the members-elect, the
18 President declared the bill passed and the title was agreed to.

19 There being no objection, the Senate reverted to Order of Business No. 5.

20 **REPORT OF STANDING COMMITTEE**

21 MR. PRESIDENT:

22 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
23 and Enrolling has carefully compared SB 12 and finds the same correctly enrolled.

24 Respectfully submitted,
25 Bob Gray, Chair

1

2

3

4

5

6

8

11

13

15

17

19

21

23

27

29